

## ORDINANCE NO. 04-250

AN ORDINANCE vacating portions of Maple Street and Myrtle Boulevard, all as located in the City of Lakeside, Oregon.

### THE CITY OF LAKESIDE ORDAINS AS FOLLOWS

Whereas a petition for vacation of right of way has been filed with the City of Lakeside, describing the proposed vacation, showing the proposed uses of said right of way, and stating the reason for the vacation: and

Whereas, the petition contained the consents of all property owners adjacent to said right of way, and the consent of at least two thirds of the real property affected thereby

At their regular meeting October 14, 2004, the City Council of City of Lakeside fixed November 18, 2004, at 7:00 p.m. in the City Hall, 915 North Lake Road, Lakeside, Oregon, as the date, time and place for the Council to hold a public hearing. This hearing was continued to December 9, 2004 at 7:00 p.m. in the City Hall, 915 North Lake road, Lakeside, Oregon as the date, time and place for the Council to hold a public hearing. The purpose of the hearing was to hear objections regarding the proposed vacation, initiated by the adjacent owner Council Hill Development Co., LLC of all of Pacific Street, Maple Street between Pacific Street and Myrtle Boulevard, and Myrtle Boulevard from the west line extended of Lot 13 Block to the West line extended of Lot 23 Block 2. Proof of publication of consecutive weeks in The World Newspaper of general circulation published in Lakeside, beginning on October 23, 2004 and October 30, 2004. Proof of posting of said Notice of Vacation in accordance with ORS 271.110 has been received by the City Recorder from the Petitioners. The City Recorder has received from the Petitioners a deposit of all sums necessary to pay for the costs of processing these vacations, including publication, posting, recording, and legal fees.

The City Council has held that public hearing heard and considered any and all objections.

Based upon the information presented, the Council finds:

1. The procedures for vacating the streets and portions described in this ordinance have been correctly followed.
2. There is not a public necessity for the use of the streets and portions described in this ordinance.
3. It is in the public interest that the streets and portions described in this ordinance be vacated: and
4. The public interest will not be prejudiced by the vacation.

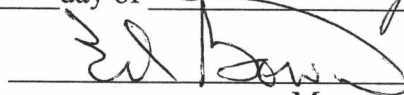
### THE CITY OF LAKESIDE ORDAINS AS FOLLOWS:

Section 1. All of Maple Street in the Plat of Council Hills, on file and of record in the office of the Clerk for Coos County, Oregon which is located between Pacific Street and South side of Myrtle Boulevard is vacated and the described portion from the effective date of this ordinance is no longer a public way.


Section 2. The portion of Myrtle Boulevard in the Plat of Council Hills, on file and of record in the office of the Clerk for Coos County, Oregon which is located from the west line extended of Lot 13 Block 2 to the West line extended of Lot 23 Block 2 is vacated and the described portion from the effective date of this ordinance is no longer a public way.

Section 3. The City Recorder is directed to submit a certified copy of this ordinance and the map showing the precise location of the vacated area to the County Clerk, the County Assessor, and the County Recorder.

FIRST READ to the Council the 13<sup>th</sup> day of January, ~~2004~~ 2005 *dlh*  
PASSED by the Council this 10<sup>th</sup> day of February, ~~2004~~ 2005 *dlh*  
Signed by the Mayor this 10<sup>th</sup> day of February, ~~2004~~ 2005 *dlh*  
Effective this 10<sup>th</sup> day of February, ~~2004~~ 2005 *dlh*

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

12 17CB  
LAKESIDE

NW1/4 SW1/4 SEC. 17 T.23S. R.12W. W.M.  
COOS COUNTY

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

CANCELLED

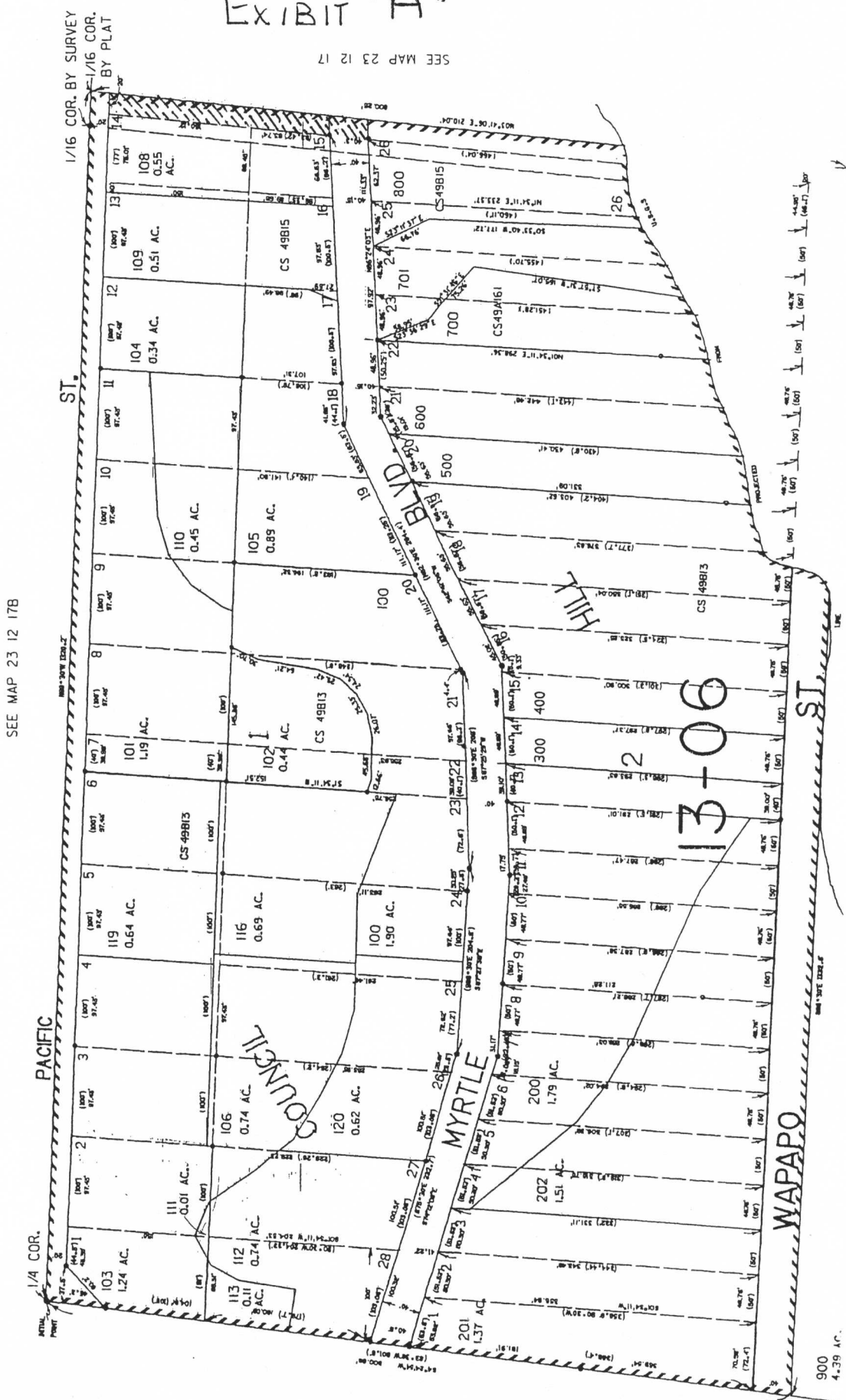
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# Maple St. Vacation, Section 1.

## Council Hill Subd.

Hatched area to be vacated

### EXHIBIT "A"



23 12 17CB  
LAKESIDE

CANCELLED

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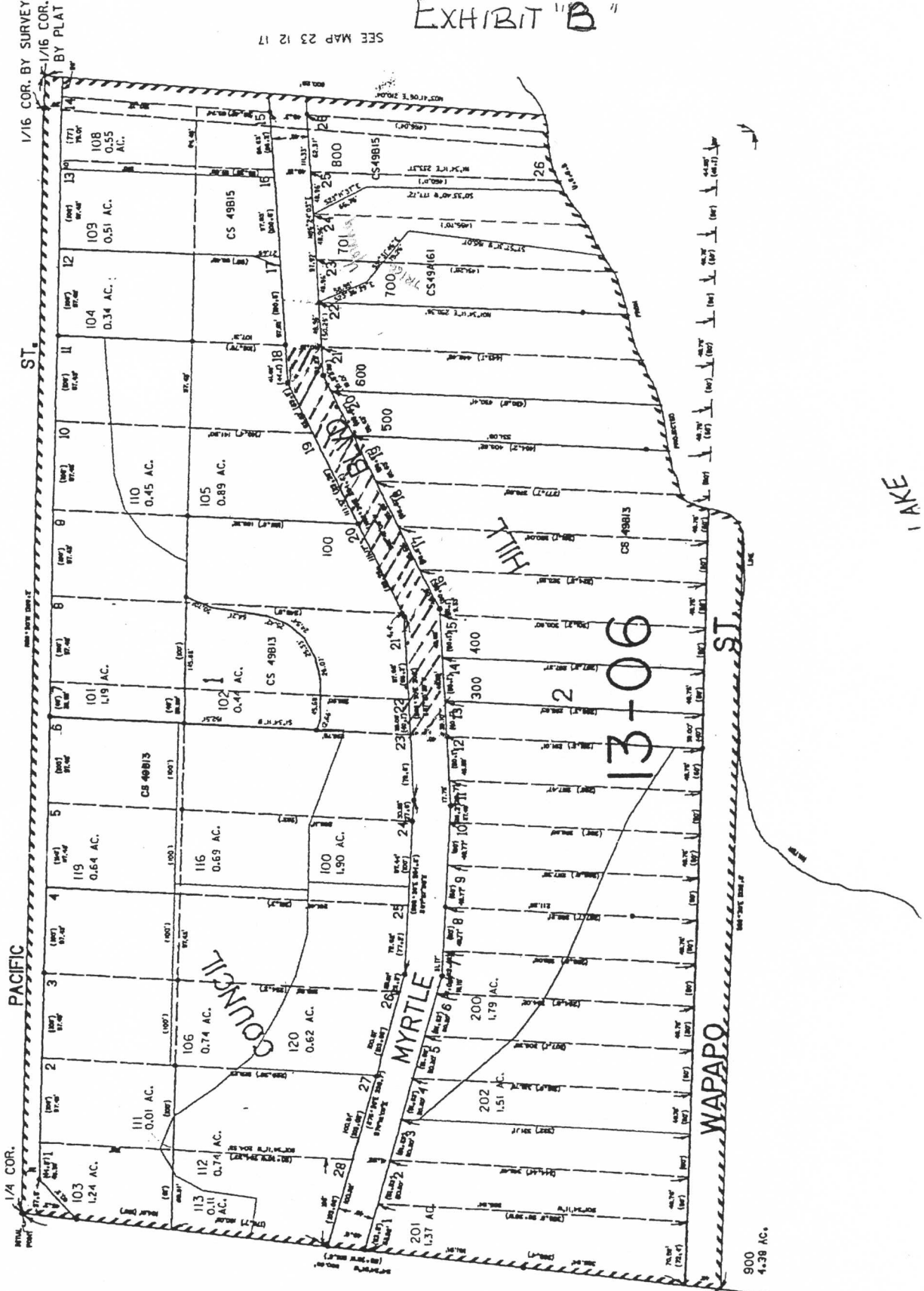
Myrtle Boulevard Vacation, Section 2.  
Council Hill Subd.  
Hatched Area to be vacated  
EXHIBIT "B"

SEE MAP 23 12 17

NW1/4 SW1/4 SEC. 17 T.23S. R.12W. W.M.  
COOS COUNTY

1" = 100'

SEE MAP 23 12 17B



SEE MAP 23 12 18D

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

LAKE

*City of Lakeside*  
**Council Meeting Minutes**  
**February 10, 2005**

The Lakeside City Council held a Regular Council Meeting at Lakeside City Hall, 915 North Lake Road, Oregon, at 7:00 PM on Thursday, February 10, 2005.

**CALL TO ORDER:**

Councilors present: Jim Brown, Fed Gresham, Don Lund, Dan Conway, Julie Anderson and Mayor Ed Gowan. Not in attendance: Bert Guin.

Others in attendance: Carl from the World Newspaper, Pam Blake, Kay & Gordon Janes, Paul & Kay Calentine, June VanRenselaar, Kay Christiansen, Annette Richey, Harvey Wilcox, Tina Jones, Ike & Christie Parker, Peggy Raymer, Ardella Edwards, Harlon Green, Dave Rader, John Burles, Billy Hill, Donna Holland, and Charlie Hill.

**PLEDGE OF ALLEGIANCE**

**CONSENT CALENDAR:**

Minutes of January 13, 2005

**MOTION:** Jim Brown moved to approve Minutes of January 13, 2005

**SECOND:** Fed Grisham

**VOTE:** Unanimous by all councilors present.

Expenditure Review January 12, 18, 19 & 20, 2005

**MOTION:** Jim Brown moved to approve expenses of January 12, 18, 19 and 20, 2005 as presented.

**SECOND:** Don Lund

**VOTE:** Unanimous by all councilors present.

**Commissioner's Reports:**

Dan Conway – Dan reported he met with President of the Senior Association, Naomi Parker and she helped alleviate an electrical problem near the Senior Reading Room and The Kid Zone, there was a food warmer that was tripping the circuit breaker. Naomi, Dennis, Billy, Shawna, and himself found an alternate place for the food warmer and all worked cooperatively.

Julie Anderson – At the end of January, Dennis, the Mayor, City Administrator, Gordon Ross, County Roadmaster, another gentleman from the County and Julie met together on the Counties response to the county roads that run through our town which include Bowron, Hilltop, North Lake, 8<sup>th</sup> Street and Airport. Earlier in January, the county had graded some of the roadways along the bicycle path and Dennis had some concerns with that and hopefully after this meeting we have reached a consensus and some definite cooperation with the County although everyone is pleading no funding and not enough staff, we sort of topped them as we only have one employee for our roads. Dennis does an excellent job. Mayor Gowan noted that Dennis had a work crew from Shutter Creek here and they worked on the yard at City Hall.

Fed Grisham – Reported on the Sludge truck. They are short one employee at the Treatment Plant due to an employee having surgery. Bob Dillard is filling in there to do the paperwork.

Don Lund – Nothing to report

Jim Brown – Jim reported on the Water Rights issue. Mayor Gowan noted the League of Oregon Cities has submitted a Resolution to be enacted upon by the legislatures and it appears that they are representing a district instead of being a league of cities and fighting for that district. There is no bill on the floor at this

time. Mr. Brown noted if it is a Senate bill, they give you 48 hours but a house bill some times only has 2 hours notice. Mayor Gowan noted he will be attending the capitol and has some meetings scheduled on Mayors day the 23<sup>rd</sup> of February.

**MOTION:** Jim Brown moved to approve spending \$1,000 for legal fees to hire a Water Rights Attorney for preliminary consultation to find out what we can do to protect our water rights.  
**SECOND:** Julie Anderson  
**VOTE:** Unanimous by all councilors present.

Ed Gowan-met with airport people, their staffs have changed and appear to be working with us.

Audit-Tina Jones from Scoville and Rieber said the audit went well; the City is in good shape. Tina noted some new reporting due to GASB 34, which stands for Governmental Accounting Standards Board, which is to make it more understandable for the public. MD&A=Management Discussion and Analysis which is an overview and financial highlights of the city. Tina briefly went over the audit.

Jim Brown noted the management letter, last paragraph, wondered why this has now been put in. Tina noted that is part of the GASB 34 requirement. Page 42 minor correction Columbia River PUD should be Central Lincoln PUD.

**MOTION:** Jim Brown moved to accept the audit as presented.  
**SECOND:** Don Lund  
**VOTE:** Unanimous by all councilors present.

## PUBLIC HEARING

The Mayor opened the public hearing at 7:15 p.m. Harvey withdrew Pacific Avenue completely from the vacate.

1. Street Vacate-Portion of Maple Street, Portion of Myrtle Blvd, Portion of Pacific Avenue-Council Hill Estates-Wilcox. This is Ordinance 04-250 and will be read by title only, second reading.

**MOTION:** Jim Brown moved to adopt Ordinance 04-250.  
**SECOND:** Ed Gowan  
**VOTE:** Unanimous by all councilors present.

## OLD BUSINESS:

1. Resolution 05-02 Authorized signatures for checking account.

**MOTION:** Jim Brown moved to adopt Resolution 05-02 authorized signatures for the checking account.  
**SECOND:** Don Lund  
**VOTE:** Unanimous by all councilors present.

2. Resolution 05-03 Interim Financing for Sewer Improvements with DEQ for \$2,111,150.00

**MOTION:** Jim Brown moved to adopt Resolution 05-03 to approve Interim Financing for Sewer Improvements with DEQ for \$2,111,150.00.  
**SECOND:** Don Lund  
**VOTE:** Unanimous by all councilors present.